

SEP 08 2020

MINUTES

The Town of Manteo Planning and Zoning Board met in Regular Session on Tuesday, September 8, 2020 at 6:00 p.m. at the Manteo Town Hall, 407 Budleigh Street and via Electronic Teleconference. The public may access the meeting by calling US: +1 312 626 6799 or +1 929 436 2866 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 6833 or +1 253 215 8782 Members of the public are welcome to participate in the Public Hearing and Public Comment segments Webinar ID: 893 7861 4131.

The following members were present:

Chairman Sherry Wickstrom
Member Hal Goodman
Member Fields Scarborough
Member Nicole Northrup
Member Jamie Daniels

The following members were absent:

Also present at the meeting:

Melissa Dickerson, Planner
Becky Breiholz, Town Clerk
Carl Woody, IT

Chairman Wickstrom called the meeting to order at 6:00 pm and did a roll call to verify a quorum. A quorum was established all members were present.

SUBJECT: Adoption of Agenda as presented or amended.

MOTION: Member Goodman seconded by Member Scarborough to adopt the agenda as presented was approved by the following vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Noes: None. Absent: None.

SUBJECT: Approval of Minutes Regular Meeting August 11, 2020

MOTION: Member Goodman seconded by Member Northrup to approve the minutes as presented was approved by the following vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup, and Daniels. Noes: None. Absent: None.

PUBLIC COMMENTS- *Members of the public are invited to address the Planning Board. Public Comment is not intended to require the Board to answer any impromptu questions or to take any action on items brought up during the public comment period. Speakers will address all the comments to the Board as a whole and not one individual member. Discussions between speakers and members of the audience will not be allowed. Time limits are 3 minutes per person or 5 minutes per group. Please identify yourself so that your statements can be recorded. To raise your hand hit *9 and you will be recognized by the last 4 digits of your phone number.*

No public comments

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OLD BUSINESS

SUBJECT: Discussion of text amendment for Boat lifts. The Commissioners passed a text amendment but wanted the Planning Board to explore other requirements for boat lifts in marinas. At the last meeting, the Planning Board suggested contacting the Town Attorney for his suggestions for them to review. The members concerns were that the boardwalk at Marshes Light which the Town has a public easement and the possibility of boat lifts being place there were not allowed.

Staff received a suggestion from the Town Attorney based on those concerns:

(d) 1. Boat lifts may not be associated with, attached to or located seaward of boardwalks running generally parallel to the shoreline: (i) which are owned by the Town of Manteo; or (ii) that are subject to public access via a dedicated easement and located directly upon Shallowbag Bay. This prohibition extends to any docks or other structures which are located seaward of such boardwalks unless such dock extends seaward from a privately owned marina located upon a boat basin.

2. Boats should be removed from boat lifts within 24 hours of expected arrival of a named storm.

3. Boat lifts shall only be installed to accommodate boats 28 feet or less in length.

An alternate suggestion was also given by a Planning Board member and wanted it to be very specific as to that section.

(d) 1. Boat lifts and similar devices are prohibited and may not be attached, or located in Shallowbag bay on the waterfront boardwalks, which are owned by the Town or a dedicated public easement from the Cora Mae Daniels Basnight Bridge to Marshes Light Marina.

2. Boats should be removed from boat lifts within 24 hours of expected arrival of a named storm.

3. Boat lifts shall only be installed to accommodate boats 28 feet or less in length.

After discussion, the Planning Board members recommend the following language:

(d) 1. Boat lifts, and similar devices, are prohibited and may not be attached to waterfront boardwalks adjacent to Shallowbag Bay, which are owned by the Town of Manteo or a dedicated public easement, from the Cora Mae Daniels Basnight Bridge to Marshes Light Marina at bulkhead (point L21) referenced on the deed for the public easement.

2. Boats should be removed from boat lifts within 24 hours of expected arrival of a named storm.

3. Boat lifts shall only be installed to accommodate boats 28 feet or less in length.

MOTION: Member Goodman seconded by Member Daniels to recommend to the Board of Commissioners approval the text amendment as amended above and the form

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part of these minutes was approved by the following vote: Ayes: Chairman Wickstrom, Members Scarborough, Goodman, Northrup and Daniels. Nays: None. Absent: None.

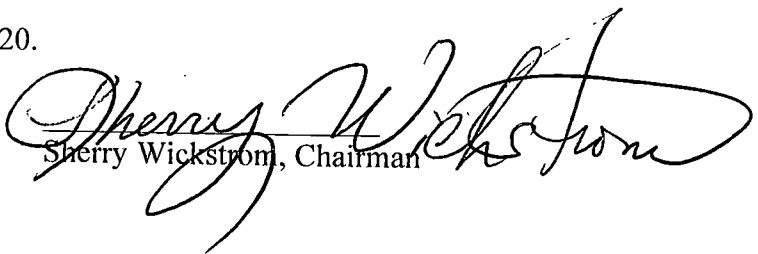
BOARD COMMENTS

Member Goodman asked the status of the stranded boat by the Washington Baum Bridge near the boat ramp. Mrs. Dickerson commented that she has contacted Dare County and sent them all the information that we had on the boat as it is outside the Town's jurisdictional waters.

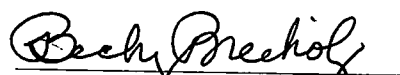
Chairman Wickstrom commented she has been contacted by several people regarding the display of large flags on boats in the Town marina and if there was anything that could be done. Mrs. Dickerson commented that she has discussed this with the Town Attorney, and it was suggested a restriction could be placed in the rental agreement for dock leases. The Board would like to discuss this at a future meeting.

MOTION: Member Goodman seconded by Member Daniels to adjourn at 6:30 pm was approved by the following vote: Ayes: Chairman Wickstrom and Members Scarborough, Goodman, Northrup, and Daniels. Nays: None. Absent: None

This the 8th day of September 2020.


Sherry Wickstrom, Chairman

ATTEST:


Becky Breinholtz, Town Clerk



ZTA 2020-07Z THIS IS THE PROPOSED CHANGES TO THE ORDINANCE:
Sec. 12-7. - Marinas.

(a) Intent. Manteo, beginning as a community along Dough's Creek, has fostered evolving uses of its waterfront. Fishing and ferry boats have given way to recreational boats. It is the intent of this section to formalize the character and uses of the various marina areas about the town.

~~(1) Historic Manteo Waterfront (Head Waters of Dough's Creek to the NC Maritime Museum). This area is comprised of primarily town-owned docks which serve a variety of uses including tour boats, kayak rentals, parasail rides, museum boats, and transient and year-round boats. Mixed use is strongly encouraged in this area. It is important to maintain a stable balance of these uses in order to promote a vibrant, authentic community rather than a carnival atmosphere.~~

~~(2) Shallowbag Bay South (south of the NC Maritime Museum). This area historically has been the site of traditional watermen activities such as crab-shedding, oystering, and wooden boat building. These uses are still encouraged even as the primary use shifts toward private, recreational boating. Further development of this area for commercial charter boats is not allowed.~~

~~(3) Pirate's Cove (both marina and private docks). This area is intended to serve both commercial charter boat operations in the marina slips and private, recreational boats in the canal-side slips.~~

(b) Jet Ski rentals are not permitted in any of the town's marinas or waterfronts.

(c) Regulations. When a marina is part of a proposed development the following must be provided:

- (1) Slips shall be designated on a site plan as recreational or nonrecreational use;
- (2) Boat slips deeded with a residence do not require additional parking and may only be occupied by the resident of the dwelling unit to which it is deeded;
- (3) All docks shall be dedicated recreational, commercial, charter;
- (4) Dock slips within a marina may be private, docks and piers shall be public.

(d) Boat lifts. Where boat lifts are of a proposed development the following must be provided:

- (1) Boat lifts, and similar devices, are prohibited and may not be attached to waterfront boardwalks adjacent to Shallowbag Bay, which are owned by the Town of Manteo or a dedicated public easement, from the Cora Mac Daniels Basnight Bridge to Marshes Light Marina at bulkhead (point L21) referenced on the deed for the public easement.
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Consistency Statement:

The Town of Manteo Planning and Zoning Board finds the action to amend the zoning ordinance place restrictions on boat lifts to be consistent with the Town's 2007 Land Use Plan. The Town's 2007 Land Use Plan Public Access Policy 3: states "New parks and open spaces should be sited and designed to maintain the town's natural edge, protect fragile areas, improve water quality, preserve views to public trust waters, and be in keeping with Manteo's historic character."

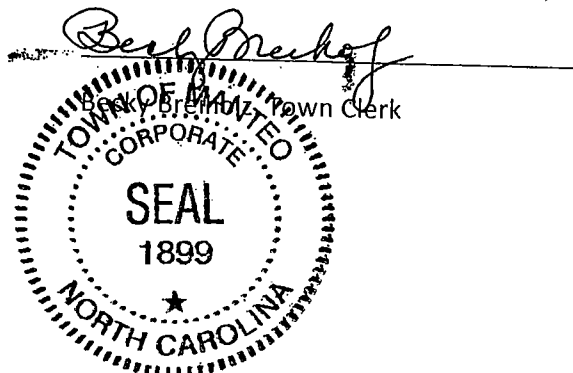
Recommendation to the Board of Commissioners:

The Planning Board finds action to amend the Town of Manteo's Zoning Ordinance Section 12-7 to be consistent with the Town's Land Use Plan per §160A-383, in a 6 to 0 vote, the Planning Board recommends that the Board of Commissioners amend the Town's Zoning Code Article 12-USE PROVISIONS Section 12-7 Marinas (a) (2) with the included text.

This the 8th day of September, 2020.


Sherry Wickstrom, Chair

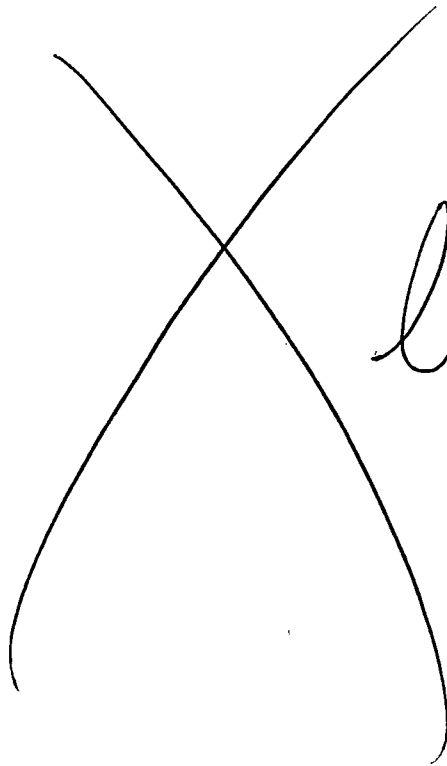
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Sherry Wickstrom, Chair

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